



February 2013



# *National Petroleum Reserve-Alaska* RECORD OF DECISION

U.S. Department of the Interior  
Bureau of Land Management

Alaska



# The Bureau of Land Management Today

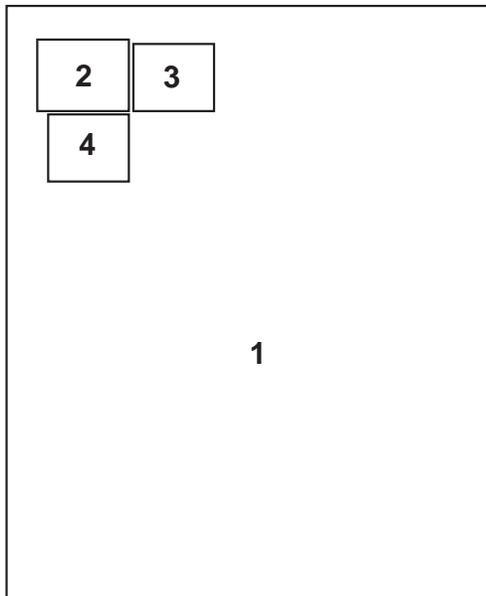
## *Our Vision*

To enhance the quality of life for all citizens through the balanced stewardship of America's public lands and resources.

## *Our Mission*

To sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.

**BLM/AK/PL-13/006+1610+AK9300**



## **Cover Photos:**

1. Along the Archimedes Ridge in the Utukok River Uplands of the National Petroleum Reserve-Alaska.  
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2. Winter petroleum exploration, National Petroleum Reserve-Alaska. Photo by NSSI
3. Polar Bear, North Slope, Alaska.
4. Two newly born caribou calves in the Utukok River Uplands of the National Petroleum Reserve-Alaska.  
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**National Petroleum Reserve-Alaska  
Integrated Activity Plan**

# **Record of Decision**

*Ken Salazar*

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Ken Salazar  
Secretary of the Interior

FEB 21 2013

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Date

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Prepared by:  
U.S. Department of the Interior  
Bureau of Land Management  
Anchorage, Alaska

National Petroleum Reserve-Alaska  
Integrated Activity Plan

# Record of Decision

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# SUMMARY

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This Record of Decision (ROD) documents the Secretary of the Interior's decision regarding the Bureau of Land Management's (BLM) future management of the National Petroleum Reserve-Alaska (NPR-A; Reserve; Petroleum Reserve). The plan adopted by this decision (see Chapter 1) balances the Secretary's responsibilities to provide for oil and gas leasing and to protect and conserve the important surface resources and uses of the Reserve.

This decision is reached after an extensive outreach effort that ensured that all voices were heard and that BLM benefited from a wide variety of perspectives. Early in the process the BLM invited the North Slope Borough (NSB), the State of Alaska, and federal agencies with expertise relevant to NPR-A's management to join as cooperating agencies.<sup>1</sup> The NSB, the State, the U.S. Fish and Wildlife Service, and the U.S. Bureau of Ocean Energy became cooperating agencies. These agencies were asked for their suggestions for alternatives, reviewed in-house drafts of the Draft and Final Integrated Activity Plan/Environmental Impact Statement (IAP/EIS), and, in some cases, drafted portions of the impact analysis. The cooperating agencies' contributions to the plan are greatly appreciated. The BLM as the lead agency for the plan is responsible for the alternatives and the development of the ultimate decision in this ROD.

In addition to inclusion of cooperating agencies' input into the plan, the BLM initiated tribal consultation early in the planning process with tribes in northwest Alaska whose members might be impacted. This included tribes some distance from NPR-A that harvest the Western Arctic Herd of caribou for subsistence. The BLM also conducted public scoping meetings and meetings to take comments on the Draft IAP/EIS in northwestern Alaska, Fairbanks, and Anchorage, in addition to taking comments online, by fax, and through the mails. More informally, BLM met with representatives of interested parties, including local and state governments, tribes, Alaska Native corporations, and industry and environmental organizations. Finally, following publication of the Final IAP/EIS, Department and BLM leaders traveled to North Slope villages to conduct additional meetings with local governments, Alaska Native corporations, and tribal entities to receive additional input.

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<sup>1</sup> The State of Alaska withdrew as a cooperating agency on September 12, 2012.

This decision makes approximately 11.8 million acres available for oil and gas leasing. It also makes lands available for application for pipelines and other infrastructure necessary for owners of offshore leases in the Chukchi and Beaufort Seas to bring oil and gas across the NPR-A to the Trans-Alaska Pipeline System (TAPS) and similar gas related infrastructure that could be built in the years ahead. While providing these opportunities for oil and gas development, the plan provides important protections for surface resources. Approximately 11 million acres, including approximately 3.1 million acres within the Teshekpuk Lake Special Area, are not made available for oil and gas leasing under the plan, thereby protecting critical areas for sensitive bird populations from all seven continents and for the roughly 400,000 caribou found in the Teshekpuk Lake and Western Arctic Caribou Herds - herds important for subsistence users in over forty villages in northwest Alaska. The plan also expands the Teshekpuk Lake Special Area from 1.75 million acres to 3.65 million acres and the Utukok River Uplands Special Area from 3.97 million acres to 7.06 million acres, and creates a new 107,000-acre Peard Bay Special Area. Taken together, the provisions of the plan provide important protections for areas critical to numerous subsistence species - calving and insect relief areas of both caribou herds; riverine, lake, and coastal fish habitat; nesting and breeding areas for tens of thousands of birds; and bays, inlets, and coastlines important for marine mammals - as well as the coastal waters and river routes critical for North Slope residents to access hunting, fishing, berry picking, and trapping grounds.

This decision establishes performance-based stipulations and best management practices, which apply to oil and gas and, in some cases, to non-oil and gas activities within the NPR-A (see Appendix A), and requires studies and monitoring.

The decision also adopts a formal approach to provide for a continuing dialogue with local communities, tribal organizations, and Native corporations on the North Slope through the establishment of the NPR-A Working Group. The NPR-A Working Group will ensure that BLM's land managers engage in a continuing dialogue with North Slope residents, understand their economic, subsistence, and wider social interests in activities in NPR-A, and gather scientific and traditional ecological knowledge related to key issues that arise during implementation of the plan and as the BLM considers proposed activities in the NPR-A. Such matters may include leasing activities, exploration programs, proposed oil and gas

developments, potential pipelines supporting offshore oil and gas development, subsistence and wildlife issues, and related matters.

The decision reflects the Preferred Alternative in the NPR-A Final IAP/EIS issued in December 2012, but includes modifications and clarifications (see Appendix B).

Due to the dynamic nature of public land resources it is necessary that plans such as this are maintained, amended, and, when necessary, revised. This plan will remain in place until the agency determines that it is appropriate to adopt a different approach to management of the Reserve.

# 1. DECISION

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The plan described in this ROD is hereby adopted for future management of the NPR-A. The plan includes decisions regarding:

- *Areas designated for oil and gas leasing, for pipelines and other infrastructure, and for special protections:* These land allocations include making areas available or unavailable for oil and gas leasing, identifying areas in which nearly all new non-subsistence permanent infrastructure<sup>2</sup> would be prohibited or in which applications for pipelines and other non-subsistence infrastructure would be consistent with the plan, enlarging existing or creating new Special Areas and modifying the purposes of existing Special Areas, and committing to manage twelve rivers or river segments to protect their free flow, water quality, and outstandingly remarkable values,
- *Stipulations and best management practices:* The stipulations and best management practices will regulate permitted activities in NPR-A to meet resource and use objectives and thereby mitigate impacts of those activities.
- *Studies and monitoring:* Studies and monitoring will be done to 1) ensure lessees and permittees comply with applicable requirements, 2) assess the effectiveness of protective measures to meet objectives, and 3) provide updated scientific, cultural, and technological data and knowledge needed to adapt management decisions to changing conditions and circumstances. Such information would be important to adapt management if protective measures, including but not limited to land allocations, stipulations, and best management practices, are not meeting their objectives.
- *Establishment of the NPR-A Working Group:* The NPR-A Working Group is to ensure that land managers have the benefit of local knowledge, an understanding of local concerns, and the recommendations of local residents and institutions and the input of other

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<sup>2</sup> Non-subsistence permanent infrastructure includes all structures and improvements that are not built for use by subsistence hunters, trappers, fishers, berry-pickers, and other subsistence users (e.g., cabins, tent platforms, drying racks) to facilitate subsistence activities and that are not ephemeral, such as snow or ice roads. Within NPR-A anticipated non-subsistence permanent infrastructures include pipelines, gravel drilling pads, and other improvements built to support commercial oil and gas activities; for a more expansive list of such facilities, see the definition of “permanent oil and gas facilities” in the definition section of Appendix A.

permitting agencies and agencies with relevant expertise on an ongoing basis.

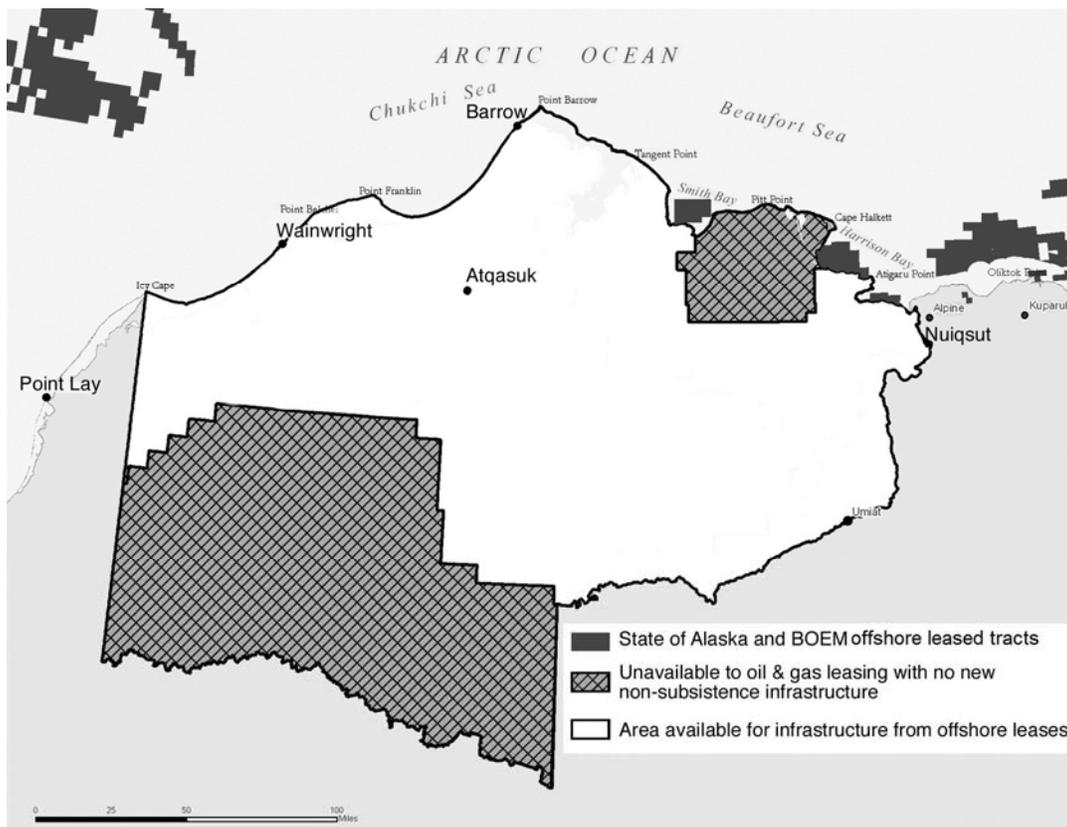
***Areas Designated for Oil and Gas Leasing, for Pipelines and Other Infrastructure, and for Special Protections***

This decision makes approximately 11.8 million acres of the approximately 22.8 million acres of subsurface managed by BLM in the NPR-A available for oil and gas leasing. (See Map 1; maps appear at the end of the ROD.) Of the 11.8 million acres, 1.57 million acres in the northwestern part of the Reserve would not be available for leasing until January 22, 2014 when a 10-year deferral established in the Northwest NPR-A IAP ROD expires; this plan preserves that previous deferral.

Under this decision approximately 11 million acres, comprising a large majority of lands within Special Areas, and some Beaufort Sea waters in and near Dease Inlet and Barrow, are not available for oil and gas leasing in order to protect and conserve important surface resources and uses in these areas. (Map 1)

Under the plan, oil and gas infrastructure, including pipelines and other infrastructure necessary for offshore development, would be allowable in over 14 million acres, including in much of the areas designated as Special Areas. (See Figure 1.) The plan prohibits most new non-subsistence permanent infrastructure in approximately 8.4 million acres of the 11 million acres that would not be available for oil and gas leasing. (Map 1) Of these 8.4 million acres, approximately 1.1 million acres encompasses Teshekpuk Lake and lands surrounding the lake, habitat of special importance for nesting, breeding, and molting waterfowl and for the Teshekpuk Lake Caribou Herd. The remaining approximately 7.3 million acres in which most new non-subsistence permanent infrastructure is prohibited lies in the southwestern part of the NPR-A. This territory provides critical calving and summer movement areas for the Western Arctic Herd. In these areas, the only permanent non-subsistence infrastructure that would be allowed is infrastructure in support of science and public safety. For example, small research facilities and unoccupied navigation aids could be allowed on a case-by-case basis following evaluation of project proposals. In addition, construction, renovation, or replacement of facilities on the existing gravel pads at Camp Lonely and Point Lonely may be permitted if the facilities will promote safety or environmental protection. Lands in which new non-

subsistence permanent infrastructure is not prohibited are available for application for permits for such infrastructure, including infrastructure in support of offshore development. A decision on infrastructure that will be permitted in support of offshore development will be made following a rigorous, multi-agency NEPA review, which will benefit from expertise from a wide range of specialists, including but not limited to biologists; subsistence, cultural, and paleontological specialists; soils and water scientists; geologists; engineering subject matter experts; economists; project estimators; and respected traditional knowledge holders to provide sound consideration of project routes and requirements. It must be emphasized that no provision of this decision, except the prohibition of new non-subsistence infrastructure (illustrated in Fig. 1), directly or indirectly prohibits pipelines or other infrastructure in NPR-A in support of offshore development in the Chukchi or Beaufort seas. Any oil and gas infrastructure built in NPR-A would be required to minimize the impacts of the development footprint consistent with Stipulation E-5, which requires consideration of sharing and collocation of facilities along with other strategies to minimize the footprint of development.



**Fig. 1 Pipelines and other infrastructure in support of offshore development could be located in NPR-A except in crosshatched lands.**

The plan also expands the area and number of Special Areas and broadens the purpose of two of the existing Special Areas. (See Map 1.) The plan adds approximately 1.9 million acres to the Teshekpuk Lake Special Area to protect caribou calving and insect-relief areas and waterbird and shorebird breeding, molting, staging, and migration habitats. The purpose of the Teshekpuk Lake Special Area is expanded to include the protection of important caribou and shorebird habitat while continuing to protect waterbird habitat, which was the original purpose for the Special Area<sup>3</sup>.

The plan adds approximately 3.1 million acres to the Utukok River Uplands Special Area to more fully encompass prime calving and insect-relief habitat within the NPR-A and creates a 107,000-acre Peard Bay Special Area to protect haul-out areas and nearshore waters for marine mammals and a high use staging and migration area for shorebirds and waterbirds. This decision does not change the boundaries of the Colville River and Kasegaluk Lagoon Special Areas, but it modifies the purpose of the former to protect all raptors, rather than the original intent of protection for arctic peregrine falcons.

The plan commits the BLM to protect the free flow, water quality, and outstandingly remarkable values of the rivers and river segments listed in Table 1 and depicted on Map 1 and an area approximately one-half mile from the banks of these rivers to protect the associated river values. This plan decision does not recommend these rivers for Wild and Scenic River designation, but by committing the BLM to protect the rivers, it preserves Congress's option to pursue Wild and Scenic River designation in the future. Nothing in this decision's commitment to protect these rivers, however, would block essential pipeline and other essential infrastructure crossings or make such crossings impracticable or non-economic<sup>4</sup>.

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<sup>3</sup> The notice designating the Teshekpuk Lake Special Area (*Federal Register*, June 3, 1977) noted “the large number of ducks, geese, and swans” and the importance of the area for these and other waterbirds. The change in purpose to include shorebirds clarifies that these species are encompassed in the protections afforded by the Teshekpuk Lake Special Area. For a description of waterbirds and shorebirds in the NPR-A, see the Final IAP/EIS sections 3.3.5.3 through 3.3.5.6.

<sup>4</sup> The commitment to protect the free flow, water quality, and outstandingly remarkable values of these twelve rivers constitutes a river protection separate from those identified in the various stipulations and best management practices, including Stipulations E-2 and K-1 and Best Management Practices E-6 and E-14. These stipulations and best management practices also would not block essential pipelines and other infrastructure from crossing rivers.

**Table 1: Rivers and River Segments and Values to be Protected**

<b>River/Creek</b>	<b>Outstandingly Remarkable Values</b>
Awuna River	Wildlife, scenic, cultural, geologic, subsistence, recreational
Carbon Creek	Recreational, wildlife, scenic, cultural, subsistence
Colville (headwaters downstream in which the river and both banks are within NPR-A)	Wildlife, scenic, cultural, geologic, subsistence
Driftwater Creek	Wildlife, scenic, cultural, geologic, subsistence
Etivluk (downstream from confluence with Nigu)	Recreational, wildlife, scenic, cultural
Ipsnavik	Wildlife, scenic
Kiligwa	Wildlife, scenic, cultural, geologic, subsistence
Kokolik (within NPR-A)	Recreational, wildlife, geologic, cultural, subsistence
Kuna	Wildlife, scenic
Nigu (within NPR-A)	Recreational, wildlife, scenic, cultural
Nuka	Wildlife, scenic
Utukok (within NPR-A)	Recreational, wildlife, scenic, cultural, subsistence

Finally, the plan adopts decisions regarding visual resource management and off-highway vehicle use designations. In brief, these measures are:

- Visual Resource Management: manage areas in which new non-subsistence infrastructure is prohibited as VRM II, approximately 6 million acres near certain rivers and waterbodies as VRM III (see Table 2-2 in the Final IAP/EIS for details), and the remaining approximately 8.4 million acres as VRM IV (see Map 3)
- Off-highway vehicle use: year-round use of OHVs to support subsistence activities is allowed, casual or non-subsistence travel is limited to vehicles with a gross vehicle weight rating of 2,000 pounds or less and to times when frost and snow cover is sufficient to protect the tundra, and inter-village travel is limited to times when frost and snow cover sufficient to protect the tundra (see Table 2-2 in the Final IAP/EIS for details).

### ***Stipulations and Best Management Practices***

This decision adopts the performance-based stipulations and best management practices listed in Appendix A. Map 2 illustrates the geographic scope of some of these stipulations and best management practices. These stipulations and best management practices are derived from those listed for the Preferred Alternative in the Final IAP/EIS. This decision makes minor modifications and clarifications in the language of

stipulations and best management practices listed in the Preferred Alternative in the Final IAP/EIS. These modifications and clarifications are described in Appendix B.

### ***Studies and Monitoring***

Three categories of studies and monitoring are required by this ROD:

1. *Baseline studies: Studies prior to activities to better mitigate impacts associated with the activities.*

Project proponents shall be responsible for funding baseline studies to provide BLM decision-makers with sufficient information to make informed decisions on a project or series of projects. The type and scale of such studies will be determined by BLM based on the characteristics of the proposed project and location. The BLM will work with operators to coordinate any necessary surveys to ensure that consistent methods are used and that surveys are not unnecessarily duplicative. Some such studies are described in Best Management Practices A-10, A-11, C-1, E-11, E-12, E-13, E-14, E-18, K-4a, K-4b,, K-5, and L-1 and in Stipulation K-11; additional baseline information may also be required depending upon the proposed project.

2. *Oversight monitoring: Monitoring to ensure compliance with applicable requirements.*

The BLM will conduct monitoring to ensure that lessees'/permittees' plans for activities and implementation of those plans conform to the relevant requirements. Project proponents may be responsible for funding oversight monitoring. Commonly oversight monitoring will require:

- review of planning documents,
- field visits prior to oil and gas activities to ensure compliance with requirements at the on-the-ground preparation stage for activities, construction, operational start-ups, and abandonment activities (e.g., check staking of ice roads or developments to ensure compliance),
- presence in the field during activities to ensure compliance,
- follow-up field visits to ensure that any required clean-up and abandonment activities were in compliance with requirements.

3. *Effectiveness monitoring: Monitoring to evaluate the effectiveness of project designs and mitigation measures and thereby guide adaptive management.*

Project proponents shall be responsible for funding monitoring, by private or government parties, to assess the effectiveness of project designs and required mitigations in protecting resources. Project proponents may also be required to develop a plan, approved by BLM, for adaptive management programs associated with their project. As with baseline monitoring, the type and scale of such studies will be determined based on the characteristics of the proposed project and location, and the BLM will work with project proponents to coordinate any necessary surveys to ensure that consistent methods are used and that surveys are not unnecessarily duplicative.

In addition, in cooperation with other federal, State, and North Slope Borough resource management agencies, the BLM will conduct, subject to available funding, studies, such as the inventory and monitoring of resource populations and conditions. These studies may assess the health of biological resources, the location and significance of other resources, and the effectiveness of management practices in protecting these resources. The scope of these studies will reflect the level of impacting actions allowed and the protective measures imposed under the plan adopted in this ROD.

If studies and monitoring reveal that circumstances or conditions have changed, the BLM may re-evaluate its management. This re-evaluation will consider whether the impacts of a proposed amendment is within the scope of the existing NEPA analysis or if it will require further analysis under NEPA and ANILCA § 810.

Studies and monitoring undertaken to provide baseline data or to monitor effectiveness of mitigation measures must meet the approval of the authorized officer. As the authorized officer determines to be appropriate, the data collection process and product shall be consistent with standards established by BLM's Assessment, Inventory, and Monitoring program.

The plan also adopts decisions regarding the inventory of gravel resources and public health consultation described for Alternative B-2 in the Final IAP/EIS in Table 2-2. In brief, these measures are (see Table 2-2 in the

Final IAP/EIS for details):

- Gravel inventory: as funds are available, the BLM will develop a plan of exploration and evaluation of gravel resources.
- Public health consultation: the BLM will consult with the North Slope Borough Health Department, the Alaska Department of Health and Social Services, the Alaska Native Tribal Health Consortiums and other agencies with recognized expertise in Alaska Native public health and health impact assessments on major development proposals.

### ***Establishment of the NPR-A Working Group***

In comments on the Draft IAP/EIS and in consultations the Department and BLM conducted following publication of the Final IAP/EIS, local governments, Native corporations, and tribal entities expressed concerns on how local residents and entities would be involved in on-going management decisions and proposed activities (e.g. oil and gas leasing) and developments (e.g. pipelines) in the Reserve. To provide for meaningful, regular input by local communities to the on-going implementation of the NPR-A Integrated Activity Plan, the BLM will establish the National Petroleum Reserve-Alaska (NPR-A) Working Group consisting of representatives of North Slope local governments, Native corporations, and tribal entities. The NPR-A Working Group will meet on a regular basis and provide BLM information and recommendations on a range of issues associated with future implementation of the plan, including oil and gas leasing, land use conflicts, exploration, and infrastructure projects supporting onshore and offshore oil and gas development, such as production facilities and pipelines. The Working Group also will be a forum to collect additional scientific information and traditional knowledge about wildlife populations and needs, and it can inform potential adjustments to the boundaries of special areas including, for example, potential future adjustments to the southernmost boundary of the Teshekpuk Lake Special Area. Similarly, if wildlife migration patterns are altered by future development in the NPR-A, the Working Group could provide important feedback on areas where additional protection of surface values should be considered.

It is recognized that both natural and man-made changes will occur over the life of this plan, and that changes to the management prescriptions and designations for the NPR-A may be warranted in the future. The Working Group can be a forum for discussion of, and recommendations for, possible

plan amendments as well as more immediate actions that the BLM and other parties can take.

It is also recognized that there are other agencies and entities that have responsibilities for land and resource uses and management affecting the NPR-A. The BLM and this Working Group should work closely with, and may integrate with, the NPR-A Subsistence Advisory Panel, which was established in the Northeast NPR-A Integrated Activity Plan. It also should work closely with the North Slope Science Initiative. Other Department of the Interior agencies, including the Bureau of Ocean Energy Management, the Bureau of Safety and Environmental Enforcement, and the Fish and Wildlife Service are directed to participate in NPR-A Working Group meetings when appropriate, particularly when actions outside of NPR-A affect or are otherwise related to the management of the Reserve (either as actions related to BLM decision-making or having direct, indirect, or cumulative effects on NPR-A resources). Similarly, the BLM should invite other federal and state agencies, such as the National Oceanic and Atmospheric Administration and the Alaska Department of Natural Resources, to participate on issues with which they have responsibilities.

# APPENDIX D: MAPS

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# MAP 1 Land Allocations

**Oil & Gas Leasing and Infrastructure**  
 Unavailable for leasing or exploratory drilling

Unavailable for leasing and no new non-subsistence infrastructure or exploratory drilling; all other BLM-managed lands would be available for applications for permanent infrastructure in support of offshore oil and gas development.  


 Leasing deferred to 2014

**Special Areas**  
 Colville River  
 Teshekpuk Lake  
 Utukok River Uplands  
 Peard Bay  
 Kasegaluk Lagoon

 Free flow, water quality, and outstandingly remarkable river values maintained

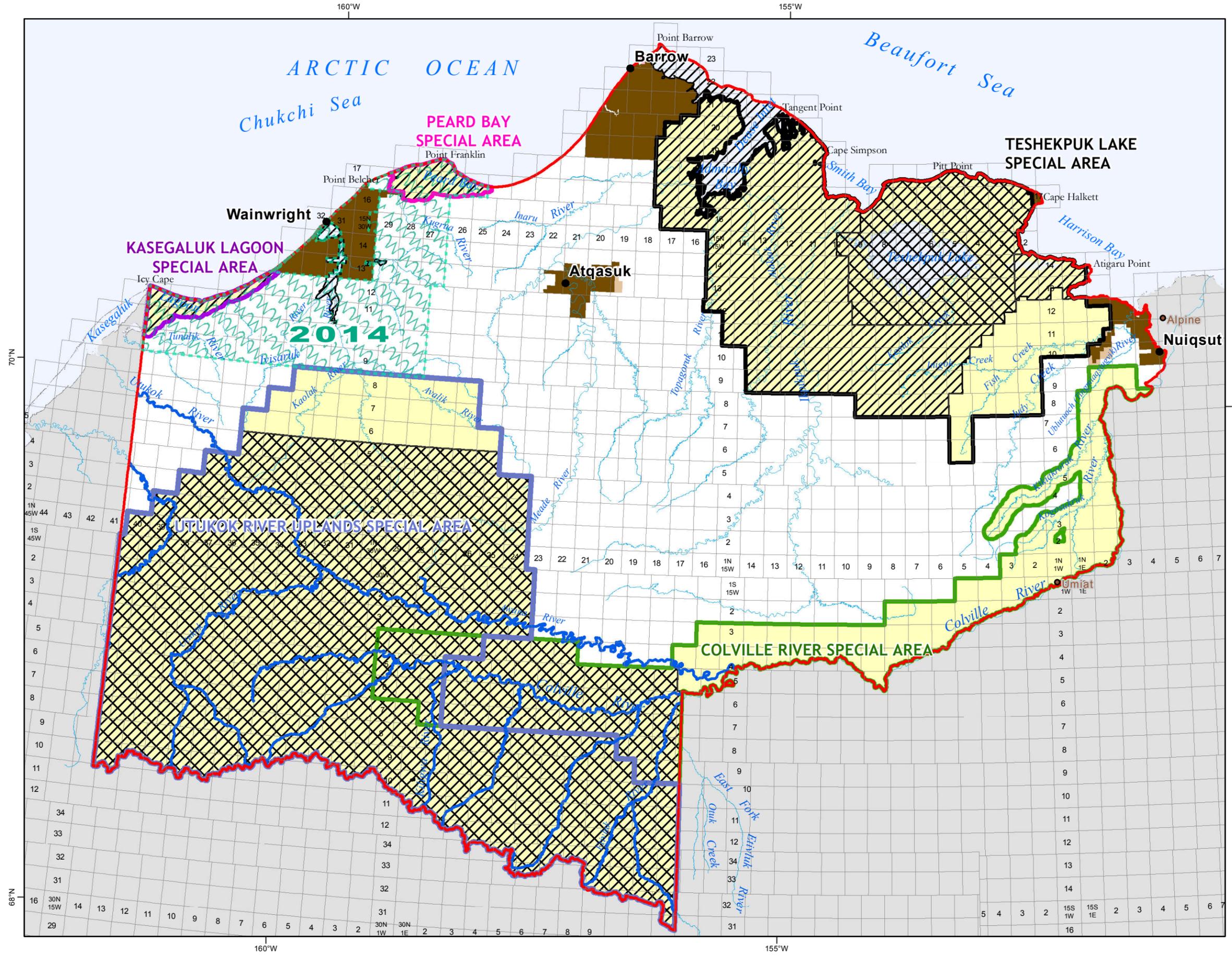
**Land Status**  
 Native Patent or IC  
 Native Selected  
 NPR-A Boundary

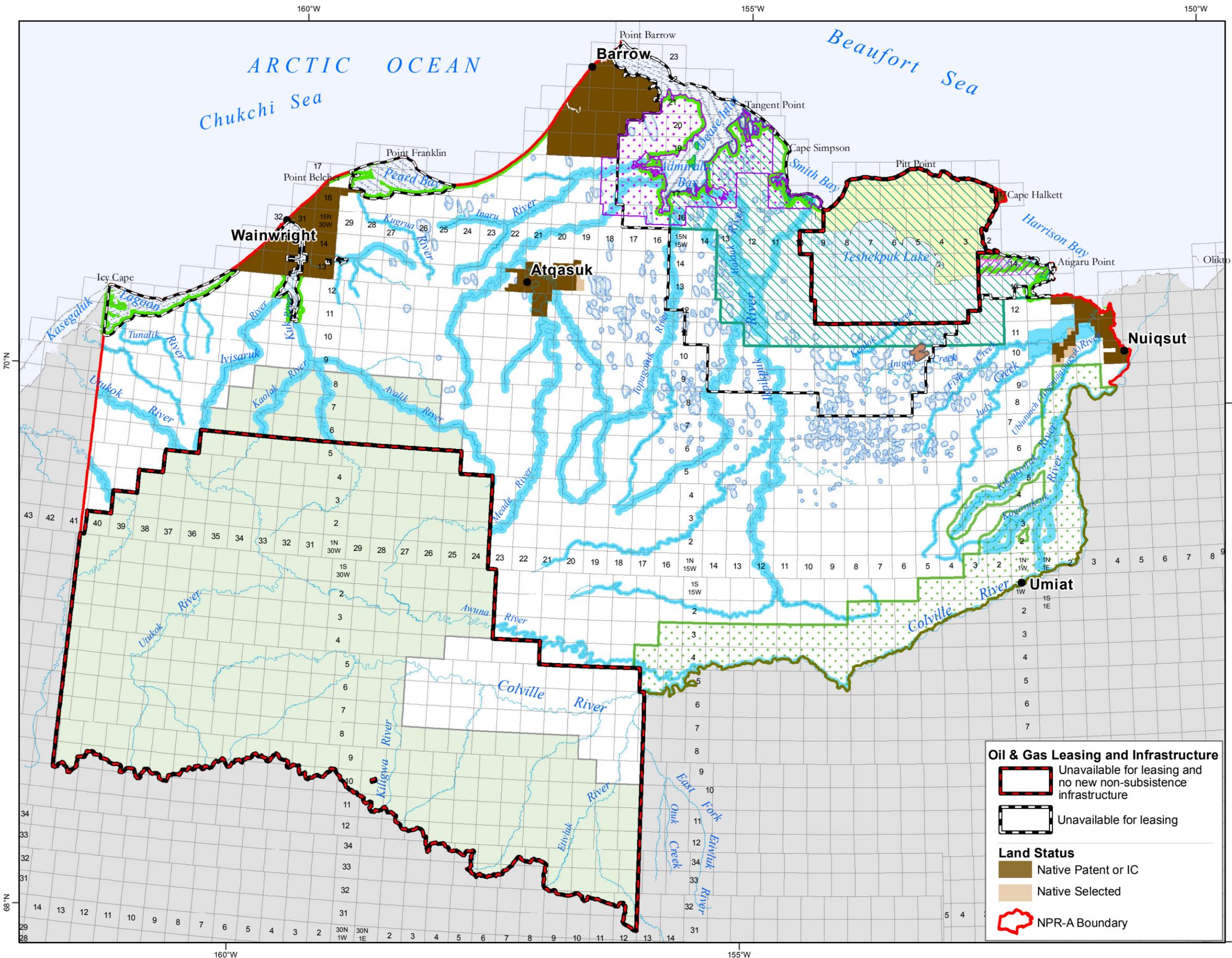


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 Projection: Albers Conic Equal Area referencing NAD83



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# MAP 2 Stipulations for Select Biologically Sensitive Areas

-  K-1 River: No permanent or temporary facilities in stream bed  
No permanent facilities within listed distance from river except essential pipelines and road crossings
-  K-2 Deep Water Lakes: No permanent or temporary facilities on lakes  
Only essential permanent facilities within 1/4 mile of lakes
-  K-3 Kogru River, Dease Inlet, Admiralty Bay, Elson Lagoon, Peard Bay, Wainwright Inlet/ Kuk River, Kasegaluk Lagoon, and their associated Islands: Special stipulations for exploration and development
-  K-4a Goose Molting Area
-  K-4b Brant Survey Area
-  K-5 Teshekpuk Lake Caribou Habitat Area
-  K-6 Coastal Area: Special restrictions on facility development in coastal waters and within 1 mile of coast
-  K-7 Colville River Special Area raptor protection and CRSAMP Protection 2
-  K-8 Pik Dunes: Surface structures, except approximately perpendicular pipeline crossings and ice pads, are prohibited
-  K-9 Caribou Movement Corridor: No permanent oil and gas facilities, except for pipelines or other infrastructure associated with offshore oil and gas exploration and production
-  K-10 Southern Caribou Calving Area: No permanent oil and gas facilities, except for pipelines or other infrastructure associated with offshore oil and gas exploration and production
-  K-12 Western Arctic Herd Habitat Area

**Oil & Gas Leasing and Infrastructure**

-  Unavailable for leasing and no new non-subsistence infrastructure
-  Unavailable for leasing

**Land Status**

-  Native Patent or IC
-  Native Selected
-  NPR-A Boundary



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